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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: 3626
Examiner: Ms. Janet D. Chance

In re PATENT APPLICATION OF:

Applicant(s) : Wuping DONG)
Serial No. : 09/458,820)
Filed : December 13, 1999) **RESPONSE AFTER**
For : TICKET BOOKING AND ISSUING) **FINAL REJECTION**
SYSTEM AND METHOD FOR THE SAME)
Attorney Ref. : FUJI 111)

Attention: BOX AF
Commissioner of Patents
Washington, D.C. 20231

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GROUP 3600

Sir:

This is responsive to the Office Action of October 29, 2002, the period for reply to which has been set to expire on January 29, 2003.

The rejection of claims 1 and 2 for obviousness, on the basis of *Hunt* (U.S. Patent 5,781,892) and *Garback* (U.S. Patent 5,237,499), is respectfully traversed for the reasons discussed below.

Each of the claims 1 and 2 is drawn to a combination of elements different from and non-obvious over the prior art references. For example, claim 1 recites, in part, (a) "sending information relating to...in accordance with said ticket booking commencement request," (b) "connecting said personal computer to the selected reservation system via the Internet" and (c) "transmitting and receiving information...between said personal computer and said selected reservation system." In other words, according to the present invention, the client computer PC (reference number 30 in Figure 1 of the application's drawings) directly communicates with a computer reservation system (10 in Figure 1) without the aid of a "host computer" or an application program interface or so forth (in contrast, the sentence at column 2 of the *Hunt* reference, lines 17-20, states that "[a] server computer

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receives the command through an application program interface (API) and generates a request to a computer reservation system in response to the command"). As will be explained, neither of the prior art references, individually or in combination, teach or suggest at least this feature of the claimed invention.

In section 6(B), the Office Action states that "Hunt discloses that gateway application (22) shown on the server (14) could be located on the client computer (12)...". Section 6(B) also states that "Hunt discloses both a frame relay access device (...18) that allows connection to a plurality of CRS systems using TCP/IP...without the use of the net server (14), and a command source sending commands to the reservation system being the client computer (Hunt; col. 10, lines 18-41)." In addition, Section 6(B) of the Office Action asserts that Applicant failed to consider all embodiments, including non-preferred embodiments. Applicant respectfully disagrees.

Such allegation does not establish a proper *prima facie* case of obviousness under 35 USC §103(a). To establish a *prima facie* case of obviousness, three basic criteria must be met (MPEP §2143). Furthermore, if a modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification (MPEP §2143.01). *Hunt* does not suggest, and indeed teaches against, a client computer without server or gateway capability such as an application program interface (API) directly communicating with a computer reservation system as recited in claims 1 and 2 of the present invention.

In more detail, *Hunt* "employs application program interfaces resident on the server to interact with one or more client computers," and so "a single client application can be written to communicate with each computer reservation system" (please see column 2 of the reference; lines 26-29). Thus, says the *Hunt* reference with pride, new computer reservation systems may be easily connected to *Hunt's* system as the application program interfaces can be changed to allow communication with the new system, and no changes need be made to the client application (please see column 2; lines 32-36). An additional advantage that *Hunt* attributes to his system is that, with the application program interfaces resident on the server, the problems in not-user-friendly systems using a series of cryptic, hard to understand codes for example (please see column 1; lines 28-50) are solved.

Accordingly, any modification of *Hunt* such that a client computer (i.e., a computer having no server capability, like the PC 30 shown in Figure 1 of the present application) communicates directly with a computer reservation system via a connection device, would destroy the prior art invention or render it unsatisfactory for its intended purpose, and so there would have been no suggestion or motivation to make the proposed modification (see MPEP §2143.01).

With regard to the statement in Section 6(B) of the Office Action that "*Hunt* discloses that gateway application (22) shown on the server (14) could be located on the client computer (12)," *Hunt* discloses merely that the "client application 20 and gateway application 22 could run on a single computer" (column 8 of the reference, lines 18-19; emphasis supplied). This merely teaches that the single computer could serve not only as a server but also as a client computer. *Hunt* does not teach or suggest that a client computer having no server capability might communicate directly with a computer reservation system.

Further, with regard to the statement (in Section 6(B) of the Office Action) that *Hunt* discloses "a command source sending commands to the reservation system being the client computer", it is not at all clear just which sentence or phrase in the passage cited by the Office Action (that is, column 10 of *Hunt*, lines 18-41) supports this statement. The fact of the matter is that nowhere does the *Hunt* reference (or *Garback*, either) disclose or suggest that a client computer communicates with a reservation system without the aid of a server capability or an application program interface or so forth to make reservations.

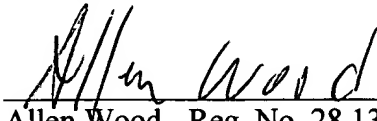
As described above, it is respectfully submitted that neither of the prior art references, individually or in combination, teaches or suggests the features of claims 1 and 2.

For the foregoing reasons, it is respectfully submitted that the application is now in condition for allowance. Reconsideration of the application is therefore respectfully requested.

Respectfully submitted,

January 27, 2003
Date

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